

Boskamp, Eddy B.

U.S. Serial No. 10/063,550

REMARKS

In the Advisory Action mailed May 19, 2005, the Examiner indicated that the amendments made April 25, 2005 would not be entered because "they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal." Applicant disagrees.

Prior to the proposed amendment, claim 17 stood rejected under 35 U.S.C. §101/112 as the Examiner asserted that "the specification does not support that the RF signal transmission [is] without a battery." Office Action, February 23, 2005, p. 3. Responsive thereto, in the proposed amendment mailed April 25, 2005, Applicant removed the "batteryless means for powering the means for wirelessly transmitting" limitation. As such, by the proposed amendment, the Examiner's 35 U.S.C. §101/112 rejection is moot and therefore the issue has been simplified for appeal. In fact, the issue no longer remains if the April 25, 2005 amendment is entered.

Additionally, Applicant amended claim 17 to further define that the wireless transmission of signal sensed from excited nuclei in the subject was with a UHF carrier frequency. Not only does the incorporation of such a limitation further define the subject matter claimed, but the limitation does not require additional consideration and/or search as claim 8, which also calls for UHF modulation, was previously considered by the Examiner. Moreover, claim 17 was originally presented without the "batteryless means for powering the means for wirelessly transmitting" limitation. Therefore, while Applicant believes the application to be in condition for allowance in light of the amendments of April 25, 2005, at a minimum, the amendments should be entered by the Examiner as they simplify issues for appeal.

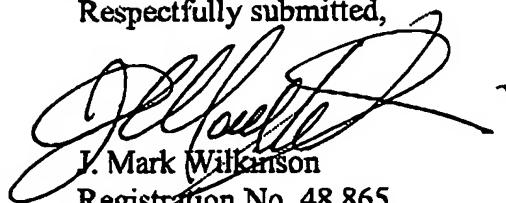
For the Examiner's convenience, the amendments presented on April 25, 2005 are represented above.

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Applicant cordially invites the Examiner to contact the undersigned with any questions regarding this matter.

Respectfully submitted,



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